

REMARKS

Claims 1-9, and 11-25 are pending in the present application. Claims 1 and 16 are hereby amended. The claims have not been amended for reasons related to patentability, but are amended to expedite the allowance of this case. Support for the amendments may be found at page 11, lines 20-23. Applicants respectfully request reconsideration of the present claims in view of the foregoing amendments and the following remarks.

Entry of the above amendment is proper under 37 C.F.R. § 1.116 (a) in that the above Amendment (1) places the claims in condition for allowance; (2) places the claims in better condition for consideration on appeal, if necessary; (3) does not raise any new issues; and (4) does not add new claims without canceling a corresponding number of claims. For the reasons given above, entry of the above amendment under 37 C.F.R. § 1.116 is respectfully requested.

I. Formal Matters:

Interview Summary Under 37 C.F.R. §1.133

A telephonic interview occurred between Applicants' representative, Michael Lukon, and Examiner Miller on January 25, 2005. Applicants express their appreciation to the Examiner for taking the time to conduct the productive and pleasant interview. The interview covered the rejection of claims 1 and 16. Examiner Miller and Applicants' representative reached agreement regarding the differences recited in claims 1 and 16 with respect to the teachings of Walsh which the foregoing amendments exemplify.

II. Claim Rejections

Claim Rejections Under 35 U.S.C. §103(a)

A. Rejections based on Walsh in view of Fitch

Claims 1, 9, and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 6,662,014 to Walsh (hereinafter "Walsh") in view of United States Patent No. 6,321,092 to Fitch et al. (hereinafter "Fitch"). This rejection is respectfully traversed.

Claim 1, as amended, recites a method of providing an identity-blocking service, comprising: obtaining an identity of a user operating a wireless communication device, the identity including a name of the user; continuously obtaining, at pre-determined time intervals, first information about a location of the user; and continuously transferring the first information

about the location of the user to a third party without disclosing the identity of the user to the third party, including the name of the user.

Walsh does not teach or suggest the method as claimed in amended claim 1. The Office Action relies on the teaching of Fitch to cure the deficiencies in the teaching of Walsh. However, like Walsh, Fitch does not teach or suggest a method as recited in claim 1. Moreover, neither Walsh nor Fitch, alone, or in combination, teach or suggest each and every limitation of amended claim 1 presented above. For example, the references do not teach the limitations of “obtaining an identity of the user, the identity including a name of the user, and the transmission of the information about the location of the user excludes disclosure of the identity of the user, including the name of the user.”

Walsh describes a location privacy manager for a wireless communication device. Walsh describes establishing rules of communication between a wireless communication device (WCD) and a remote source (RS). The rules of communication are preferably a password generated by the RS, an identity of the RS, an identity of a location privacy manager, and/or masking of the identity of the WCD. Communications between the WCD and the RS are managed to prohibit at least one of an identity and a location *of the WCD* from the RS.

Fitch does not compensate for the deficiencies of Walsh, described above. Fitch describes multiple input data management for wireless location-based applications. Fitch further describes a wireless network including an MSC for use in routing communications to or from wireless stations, a network platform associated with the MSC, and a variety of LFE systems. The network platform includes a location finding system. The LFS receives location information from the LFEs and provides location information to wireless location based applications. However, Fitch does not teach or suggest a method as claimed in amended claim 1 of the present application.

Neither Walsh nor Fitch, alone, or in combination, teach or suggest the invention as claimed in amended claim 1. Thus, claim 1 is patentable over Walsh in view of Fitch. Therefore, Applicants request that the Examiner allow amended claim 1 since the references do not provide each and every limitation of amended claim 1, and therefore cannot make a prima facie case of obviousness.

Since claims 9 and 14 depend from claim 1, reciting additional claim features, the combined teaching of Walsh and Fitch cannot make obvious claims 9 and 14. Accordingly, withdrawal of these rejections and allowance of claims 1, 9, and 14 is respectfully requested.

B. Rejections based on Walsh in view of Fitch and further in view of Owensby

Claims 2-8, 11-13, and 15-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Walsh in view of Fitch and further in view of United States Patent No. 6,647,257 to Owensby (hereinafter "Owensby"). This rejection is respectfully traversed.

Claim 2-8, 11-13, and 15 depend from claim 1. As described, neither Walsh nor Fitch, alone, or in combination, teach or suggest the invention as claimed in amended claim 1. Owensby does not compensate for the deficiencies of Walsh and Fitch. Owensby describes a system and method for providing targeted messages based on wireless mobile location. The system and method is described for inserting messages, such as commercial information or advertisements, into a wireless mobile communication. The messages are targeted to the subscriber based on: the location of the terminal at the time of the wireless mobile communication; demographic and personal preference data pertaining to the subscriber; responses made to the messages previously provided to the subscriber; or the historical movement patterns of the subscriber.

Neither Walsh nor Fitch nor Owensby, alone, or in combination, teach or suggest the invention as claimed in amended claim 1. Thus, claim 1 is patentable over Walsh in view of Fitch and further in view of Owensby. Since claims 2-8, 11-13, and 15 depend from claim 1, reciting additional claim features, the combined teaching of Walsh and Fitch and Owensby cannot make obvious claims 2-8, 11-13, and 15. Accordingly, withdrawal of these rejections and allowance of claims 2-8, 11-13, and 15 is respectfully requested.

Claim 16, as amended, recites a method of providing information about a location of a user operating a wireless communication device, comprising: obtaining an identity of the user, the identity including a name of the user; continuously identifying, at pre-determined time intervals, the location of the user of the wireless communication device; and continuously transmitting the information about the location of the user to a subscriber desirous of sending an advertisement to the wireless communication device, wherein the transmission of the information



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about the location of the user excludes disclosure of the identity of the user, including the name of the user.

The deficient teachings of Walsh, Fitch, and Owensby are described above. Neither Walsh nor Fitch nor Owensby, alone, or in combination, teach or suggest the invention as claimed in amended claim 16. Thus, claim 16 is patentable over Walsh in view of Fitch and further in view of Owensby, for reasons similar to those described above. Since claims 17-25 depend from claim 16, reciting additional claim features, the combined teaching of Walsh and Fitch and Owensby cannot make obvious claims 17-25. Accordingly, withdrawal of these rejections and allowance of claims 16-25 is respectfully requested.

CONCLUSION

For at least these reasons, Applicants assert that the pending claims 1-9, and 11-25 are in condition for allowance. Applicants further assert that this response addresses each and every point of the Office Action, and respectfully request that the Examiner pass this application with claims 1-9, and 11-25 to allowance. Should the Examiner feel that a telephone interview with Applicants' attorney would further advance the case, please contact Applicants' attorney at 404.954.5040.

Respectfully submitted,
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